

PLANNING COMMISSION MINUTES
CITY OF PALM SPRINGS, CALIFORNIA
November 18, 2020
3200 East Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 4:10 pm.

ROLL CALL: Ervin, Hirschbein, Lewin, Song, Vice Chair Moruzzi, Chair Weremiuk

STAFF PRESENT: Assistant Planning Director Newell, Administrative Secretary Bruggemans, Associate Planner Lyon, Associate Planner Mlaker, Assistant Planner Perez, Principal Planner Robertson

REPORT OF POSTING OF AGENDA:

The Agenda was available for public access at the City Hall exterior bulletin board (west side of Council Chamber) by 6:00 pm on Thursday, November 12, 2020, and posted on the City's website as required by established policies and procedures.

ACCEPTANCE OF THE AGENDA:

Lewin, seconded by Song to accept the agenda as presented.

AYES: ERWIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREIUK

PUBLIC COMMENTS: None.

CONSENT CALENDAR:

Lewin, seconded by Hirschbein to approve Items #1A, 1B and #1C, as part of Consent Calendar.

AYES: ERWIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREIUK

- 1A. DESTINATION RAMON, LLC, REQUESTING A PARCEL MAP WAIVER FOR A TWO (2) LOT SUBDIVISION ASSOCIATED WITH THE DESTINATION RAMON SHOPPING CENTER LOCATED AT 5601 EAST RAMON ROAD, ZONE M-1, SECTION 20, (CASE 38001 PMW), (GM).**

- 1B. D & E LAND CO., LLC REQUESTING THAT THE SUMMARY VACATION OF PUBLIC RIGHT-OF-WAY FOR A PORTION OF 16TH AVENUE IS FOUND CONSISTENT WITH 2007 GENERAL PLAN PER DIVISION 9, PART 3, CHAPTER 2, SECTION 8313, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (FP).**
- 1C. A MAJOR ARCHITECTURAL APPLICATION BY BEN & JOSIE BERNAL, OWNERS FOR CONSTRUCTION OF A 2,390-SQUARE FOOT SINGLE FAMILY RESIDENCE ON A HILLSIDE LOT LOCATED AT 2355 MILO DRIVE, ZONE R-1-B, SECTION 03, (CASE 3.4187 MAJ) (KL).**

Lewin, seconded by Hirschbein to approve Items 1A, 1B, and 1C on the Consent Calendar, as recommended by staff.

AYES: ERWIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREIUK

PUBLIC COMMENTS: None

2. PUBLIC HEARINGS:

- 2A. REQUEST BY SPARROWS HOTEL FOR AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW THE ADDITION OF DISTILLED SPIRITS TO THE SALES OF BEER AND WINE AT THE HOTEL RESTAURANT LOCATED AT 1330 EAST PALM CANYON DRIVE, ZONE R-3, SECTION 23 (CASE 5.1286-CUP) (ER).**

Principal Planner Robertson presented the proposed amendment and noted a correction to PLN 1 to indicate liquor sales are permitted, if the Commission chooses to approve the project.

Chair Weremiuk opened the public hearing:

BRITTEN SHUFORD, applicant, described the existing operation and was available for questions from the Commission.

There being no further speakers the public hearing was closed.

Commission Hirschbein asked the applicant if PLN2 and PLN9 would impact the business. Mr. Britten responded that the conditions are acceptable, but not preferred. He would like relief from PLN1 limiting alcohol sales to guests.

Weremiuk, seconded by Hirschbein to approve, subject to conditions of approval, as follows:

1. Modify PLN 1 to add liquor sales and remove text "to hotel guests only".

2. Delete PLN 9.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

Commission Lewin provided a substitute motion to modify PLN 1 to remove language “to hotel guests only” and retain PLN 9. The substitute motion died due to lack of a second.

2B. ROBERT LANCHESTER, FOR A CONDITIONAL USE PERMIT APPLICATION, TO OPERATE A CRAFT DISTILLERY BUSINESS WITHIN AN EXISTING BUILDING AT 401 WEST RADIO ROAD, ZONE M-1, SECTION 34 (CASE 5.1515) (AP).

Assistant Planner Perez presented the project as outlined in the staff report.

Chair Weremiuk opened the public hearing:

ROBERT LANCHESTER, applicant, described the proposed business and was available for questions from the Commission.

Chair Weremiuk questioned concerns about safety and possible explosions. The applicant said there are none anticipated with the proposed equipment, but noted they will ensure the operation complies with the Fire Department.

Chair Weremiuk closed the public hearing.

Vice Chair Moruzzi spoke in favor of distilleries and thinks tasting rooms are great and this is another amenity for visitors.

Commissioner Lewin spoke in favor of the proposed distillery.

Moruzzi, seconded by Lewin to approve subject to conditions of approval, with the following changes:

1. Add one condition that the business is subject to the requirements of Riverside County Environmental Health.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

2C. KOAR PALM SPRINGS, LLC, (DBA: LIVING OUT) FOR AN AMENDMENT TO AN APPROVED PLANNED DEVELOPMENT DISTRICT (TO CONVERT CONDOMINIUMS TO 122-UNIT APARTMENTS AND A REVISION TO TENTATIVE TRACT MAP 37602 LOCATED AT 1122 EAST TAHQUITZ CANYON WAY, ZONE REO, SECTION 14, CASE 5.1449 PDD 389) (GM).

Associate Planner Mlaker presented the project revisions as outlined in the staff report.

Commissioner Lewin asked if the project is proposing a public benefit. Planner Mlaker explained that a public park is proposed at the corner of Hermosa and Tahquitz Canyon Drive, which was previously approved and still proposed in the amended project.

Chair Weremiuk opened the public hearing:

LOREN OSTROW, applicant, described the reasoning for the change from luxury condominiums to apartments, noting the main issue is economics. He said that there have been increases in costs and liability relative to condominiums and additionally, the parking was removed from underneath the building. Mr. Ostrow stated that setbacks have been increased and additional landscape has been provided.

JERRY SHERMAN, architect, said the solar requirement to provide 2 watt per sq. ft. was the highest he has seen from any other City. He also pointed out that the recent changes to 1.4 watts per sq. ft. is higher than the State mandate and it would exceed the California Green Code. He stated that rents would be \$4,000 - \$5,000 per month, similar to other full-service, independent living developments in Rancho Mirage and Palm Desert. Mr. Sherman said the canopies were revised due to cost, but wanted to maintain the rhythm that the original project had in its design. He responded to Commission questions relating to the pool, park amenities, landscaping and overall modifications to project.

There being no further speakers the public hearing was closed.

The Commission discussed their concerns about the proposed changes.

Commissioner Hirschbein recommended the AAC review more details on the building architecture and return for review by the Planning Commission.

Hirschbein, seconded by Weremiuk to continue the item to a date uncertain and direct the Applicant to study the project based on Planning Commission comments.

1. Address concerns about parking distances relative to units;
2. Community garden component;
3. Improved landscape buffer along Hermosa (more than 4' wall);
4. Additional information on business model and operator;
5. Ensure swimming pool is adequate for # of units;
6. Park to have benches, fountains and shade trees;
7. Walkways – shade trees on both sides;
8. Trees – at least 10% to be fruit-bearing trees;
9. Parking –reduce number of parking spaces, incorporate landscape into parking area; minimize “sea of parking” design where possible; and address the parking views from Tahquitz;

10. Provide more complete packet with more finalized design details
11. AAC to review prior to returning to PC.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

A recess was taken at 6:15 pm. The meeting resumed at 6:30 pm.

2D. DESERT AIDS PROJECT IN PARTNERSHIP WITH THE COACHELLA VALLEY HOUSING COALITION, FOR AN AMENDMENT TO A PLANNED DEVELOPMENT DISTRICT; A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM P/QP AND MDR TO MIXED USE/MULTI-USE; REVIEW OF A DRAFT DEVELOPMENT AGREEMENT; ADOPTION OF A MITIGATED NEGATIVE DECLARATION PER CEQA; AND A MAJOR ARCHITECTURAL APPLICATION FOR THE ADDITION OF 18,000-SQUARE FEET OF MEDICAL OFFICE SPACE AND THE CONSTRUCTION OF A SIXTY-ONE (61) UNIT SPECIAL NEEDS HOUSING COMPLEX LOCATED AT 1695 NORTH SUNRISE WAY, ZONE P/R2, SECTION 11, (CASE 5.0934 PD 281 & 3.1047 MAJ), (GM).

Commissioner Song recused herself due to a business related conflict of interest. She would not be participating in the discussion and vote on this project.

Planner Mlaker presented the project as outlined in the staff report.

Engineer Associate Minjares discussed the traffic review matters and Sunrise Way median.

THOMAS STRAND, The Altum Group, the City's environmental consultant, provided an overview of the environmental analysis with the conclusion that the project will result in less than significant impacts with the incorporation of mitigation measures.

Chair Weremiuk opened the public hearing:

DAVID BRINKMAN, Desert Aids Project, CEO, provided a history and overview of the DAP campus and services.

MARY ANN YBARRA, Coachella Valley Housing Coalition, described the background of CVHC and the services proposed for the proposed residential portion of the project.

REUEL YOUNG, Interactive Design Corp., architect, described the design of the project.

NICOLE CRISTE, Terra Nova Planning & Research, provided response to questions related to traffic, bird nesting and the Airport Land Use Commission's requirements, community meetings, retention basin, new drive-way, phasing and frontage improvements along Sunrise.

There being no further speakers the public hearing was closed.

The Commission expressed support of the General Plan Amendment Application and provided comments.

Commissioner Hirschbein would like to see shade trees added along the edge of the project fronting Sunrise Way.

Commissioner Lewin suggested a requirement to provide an enhanced pedestrian safety feature from Sunrise Vista II to the easterly shopping center.

Chair Weremiuk recommended the landscape plan to come back for review and maintain AAC Conditions 1, 3 & 4 and consideration of more turf in the dog park.

The Commission discussed the Development Agreement and were in agreement with recommending approval.

Lewin, seconded by Hirschbein to recommend approval of the Mitigated Negative Declaration and approval of the project to the City Council with the following changes:

1. Provide shade trees along North Sunrise Way.
2. Planning Commission approves Access Alternate #2 as a right-in, right-out at main driveway along North Sunrise Way as described in the Traffic Analysis.
3. A study be conducted to provide an enhance mid-block pedestrian crossing from the DAP Campus to the Palm Springs Market Place Shopping Center visible in day and nighttime with study findings to return at Final PD review.
4. Explore the use of additional turf in retention basin/dog park.
5. Eliminate the following AAC conditions:
 - #2- Lighting plan shall be resubmitted, with consideration given to impacts to adjacent residential units.
 - #5- Applicant shall investigate gating the service driveway on the Sunrise Way frontage.
 - #6- Copper roof on annex building shall be restudied for Final PDD review.

AYES: ERVIN, HIRSCHBEIN, LEWIN, MORUZZI, WEREMIUK
ABSTAIN: SONG

Commissioner Song returned to the meeting.

3. UNFINISHED BUSINESS: NONE

4. NEW BUSINESS: NONE

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Public comment by development team be provided in Council Chamber or via Zoom for better audio quality.

CITY COUNCIL LIAISON REPORT: NONE.

PLANNING DIRECTOR'S REPORT:

- General Plan Update
- Tower Market project update
- Next scheduled meeting will be held on December 9th and potential second meeting on December 17th

ADJOURNMENT: The Planning Commission adjourned at 8.45 pm to their regular meeting at 5:30 pm on Wednesday, December 9, 2020.



Flinn Fagg, AICP
Development Services Director